

**AUGUST 19, 2014 ZONING HEARING
“OTHER BUSINESS”
COMMISSION DISTRICT 3**

ITEM OB-49

PURPOSE

To consider amending the stipulations for Suwanee Sports Academy-Cobb regarding rezoning application Z-77 of 2006 (Canton Promenade II, LLC), for property located on the east side of Canton Road at Kensington Drive in Land Lots 277, 299 and 300 of the 16th District.

BACKGROUND

The subject property was zoned Limited Retail Commercial (LRC) in 2006 for an indoor and outdoor sports recreation facility. There are currently two ball fields and an indoor gymnasium on the property. The applicant would like to offer after school programs to children 5 to 11 years old. The program would be licensed by the Georgia Department of Early Care and Learning. The applicant currently offers the same program at its Gwinnett county facility. In order to offer this program, the Board of Commissioners would need to amend the zoning condition to allow this use. There would be no changes to the building or property. If approved, all other zoning stipulations not in conflict would remain in effect.

FUNDING

N/A

RECOMMENDATION

The Board of Commissioners conduct a Public Hearing and consider the proposed stipulation amendment.

ATTACHMENTS

Other Business Application and zoning stipulations.

OB-49

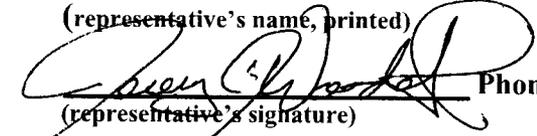
Application for "Other Business" Cobb County, Georgia

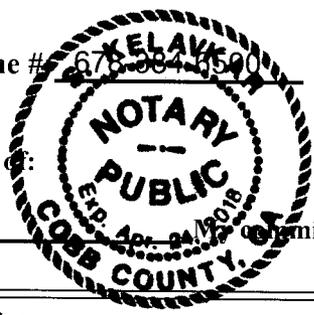
(Cobb County Zoning Division - 770-528-2035)

2014 JUN 24 PM 2:39
BOC Hearing Date Requested: 08/19/2014

Applicant: Suwanee Sports Academy-Cobb Phone #: 678-384-6500
(applicant's name printed)
Address: 3910 Canton Road Marietta, GA 30066 E-Mail: jwoodruff@ssasports.com

Jeremy Judd Woodruff Address: 3910 Canton Road Marietta, GA 30066
(representative's name, printed)


(representative's signature)



Phone #: 678-384-6500 E-Mail: jwoodruff@ssasports.com

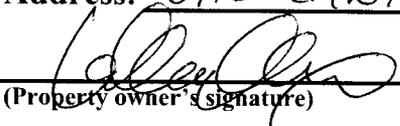
Signed, sealed and delivered in presence of:

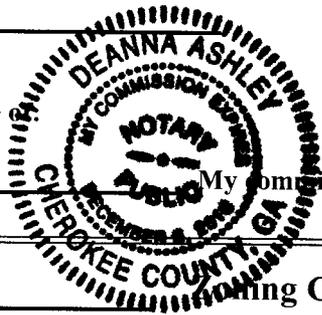
Kelake
Notary Public

Commission expires: 4/24/2018

Titleholder(s): Kelley Knox Phone #: 678-384-6500
(property owner's name printed)

Address: 3910 CANTON HWY 7 MAR 30066 E-Mail: kelleyknox@yahoo.com


(Property owner's signature)



Signed, sealed and delivered in presence of:

Deanna Ashley
Notary Public

My Commission expires: 12/6/18

Commission District: _____ Hearing Case: 3-77 of 06

Date of Zoning Decision: 6-20-06 Original Date of Hearing: 6-20-06

Location: 3910 Canton Road Marietta, GA 30066
(street address, if applicable; nearest intersection, etc.)

Land Lot(s): _____ District(s): _____

State specifically the need or reason(s) for Other Business: Like its facility in Gwinnett County, Suwanee Sports Academy-Cobb would like to offer an after school program for students aged 5 yrs. to 11 yrs. In order to be licensed by Georgia's Department of Early Care and Learning, facility must be zoned for child care.

ORIGINAL DATE OF APPLICATION: 06-20-06APPLICANTS NAME: CANTON PROMENADE II, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 06-20-06 ZONING HEARING:

CANTON PROMENADE II, LLC (David S. Demaio and Harry R. Tripp, owners), requesting Rezoning from OI to CRC for the purpose of Indoor/Outdoor Recreation in Land Lots 277, 299 and 300 of the 16th District. Located on the east side of Canton Highway at Kensington Drive.

MOTION: Motion by Lee, second by Thompson to delete to LRC zoning district subject to:

- final site plan review by Stormwater Management, District Commissioner to have final approval
- use specific for indoor/outdoor sports recreation
- letter from Mr. Ronald Boggs dated May 25, 2006, *not otherwise in conflict* (copy attached and made a part of these minutes)
- rubber lids on trash containers; trash collection in compliance with County Code
- sports rentals within the structure and exterior side limited to recreational activities only
- no cell towers or billboards
- no construction in floodplain area, with the exception of outfield and fencing
- height of light poles be approved by District Commissioner following consultation with Parks and Recreation Staff
- design lighting plan to demonstrate no spillage outside the subject property
- lights for lighted sports fields in compliance with County Code
- engineering to explore use of grass pavers adjacent to ball fields and demonstrate why grass pavers cannot be used
- engineering be completed prior to issuance of Land Disturbance Permits
- if not developed within twelve (12) months from issuance of any Land Disturbance Permits, subject property shall revert to its original OI zoning classification
- lawn maintenance program be approved by Cobb County Parks and Recreation
- architectural plan and landscape plan to include a tree save plan, District Commissioner to have final approval
- architectural renderings submitted June 6, 2006, District Commissioner to have final approval (copy attached and made a part of these minutes)
- building architecture standards to follow requirements of the 2005 *Canton Road Corridor Study*, District Commissioner to have final approval

ORIGINAL DATE OF APPLICATION: 06-20-06APPLICANTS NAME: CANTON PROMENADE II, LLC

THE FOLLOWING REPRESENTS THE FINAL DECISIONS OF THE
COBB COUNTY BOARD OF COMMISSIONERS

BOC DECISION OF 06-20-06 ZONING HEARING: (Continued)

- sound system be designed to demonstrate technically that sound can be contained within the property
- use of sound system be limited to *announcements only* up to 9:00 p.m., with no sound system thereafter
- maximum height of scoreboard twenty-five (25) feet
- rear of scoreboard to be black to cushion the adjacent homeowners; the front of scoreboard to be black only if facing residential area
- Fire Department comments
- Water and Sewer Division comments and recommendations
- Stormwater Management Division comments and recommendations, *not otherwise in conflict*, and to be approved by the District Commissioner at Plan Review
- Cobb DOT final comments and recommendations to be approved by the District Commissioner at Plan Review
- owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

VOTE: ADOPTED unanimously

May 25, 2006

Min. Bk. 42 Petition No. Z-77
Doc. Type Ronald Boyes letter
dated May 25, 2006
Meeting Date June 20, 2006

VIA HAND DELIVERY

PAGE 4 OF

Mr. John Pederson, Planner III
Cobb County Zoning Department
Suite 300
191 Lawrence Street
Marietta, GA 30060-1661

MAY 25 1:30 PM

Re: Application of Canton Promenade II, LLC to rezone a 6.38 Acre Tract from O & I to CRC. (No. Z-77)

Dear Mr. Pederson:

Canton Promenade II, LLC has filed application for rezoning and is scheduled to be heard and considered by the Cobb County Planning Commission on June 6, 2006, and, thereafter, is scheduled to be heard and considered by the Cobb County Board of Commissioners on June 20, 2006.

Canton Promenade II, LLC is seeking rezoning for the purpose of constructing a gymnasium, two baseball fields, and a concessions building to provide facilities for school-aged boys and girls to play baseball, softball and basketball.

The balance of this letter will serve as Canton Promenade II, LLC's expression of agreement with the following stipulations which, upon the rezoning application being approved, as amended and modified hereby, shall become conditions and part of rezoning binding upon the subject property thereafter:

1. The stipulations and conditions set forth herein shall replace and supercede in full any and all prior stipulations and conditions in whatsoever form which are currently in place concerning the property which constitutes the subject matter of the above-captioned application for rezoning.
2. Architectural style of the gymnasium will be a mixture of masonry, split block, and metal panels. The maximum height of the building will be 30 feet eave height. The maximum height to the center line of the roof will be 35 feet. Masonry and split block on four sides of the gymnasium will cover walls 12 feet from the ground. Steel panels will cover walls from the top of the masonry and split block to the roof. The roof will be constructed of standing seam metal.
3. Architectural style of the concessions building with rest rooms will be a mixture of masonry, split block, and metal panels. The maximum height of the concessions building will be 20 feet. Masonry and split block on four sides of the concessions building will cover walls 8 feet from the ground. Steel panels will cover walls from the top of the masonry and split block to the roof. The roof will be constructed of standing seam metal.

VIA HAND DELIVERY

Petition No. 2-77
Meeting Date June 20, 2006
Continued

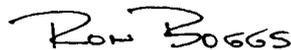
Mr. John Pederson
Cobb County Zoning Department
Page 2
May 25, 2006

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4. The baseball fields will be constructed on flood-plain area in accordance with Cobb County development standards.
5. The baseball fields will be lighted with Musco reduced-spill lighting technology that directs illumination to playing areas, reduces glare and minimizes sky glow. The maximum height of lights will not exceed 62 feet above the playing fields.
6. Scoreboards will be erected on each baseball field. The maximum height of scoreboards will not exceed 30 feet above the playing fields.
7. Seating canopy covers will be erected above spectator areas with a maximum height not to exceed 16 feet above the base of the canopy structures.
8. Canton Promenade II, LLC will operate from 8 AM until 11 PM and will conduct business in accordance with Cobb County's noise ordinance.
9. Canton Promenade II LLC will not sell alcoholic beverages.
10. Refuge containers will be locked at the close of each business day.
11. Subject to appropriate and applicable comments from Cobb County Staff.

Please contact me should you or the staff require any further information or documentation prior to the formation of your analysis and recommendation to the Board of Commissioners and Planning Commission.

Very truly yours,
CANTON PROMINADE II LLC



Ronald L. Boggs, General Manager
ron.boggs@comcast.net

xc: Cobb County Board of Commissioners (Copied via Zoning Department)
Cobb County Planning Commissioners (Copied via Zoning Department)
Mr. Robert Hosack, Jr. AICP Director
Ms. Gail Huff, Assistant County Clerk, VIA Hand Delivery
Ms. Sandra Richardson, Deputy County Clerk – VIA Hand Delivery
Ms. Tricia Clements, Northeast Cobb Homeowners Group, Inc.

Min. Bk. 42 Petition No. 277

Doc. Type Architectural

Meeting Date June 24 2006



Handwritten signature
7/14/06